

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION

KENNETH MOXON

PLAINTIFF

V.

CIVIL ACTION NO. 4:20-CV-00186-DAS

BURL CAIN

DEFENDANT

ORDER OF DISMISSAL WITHOUT PREJUDICE

The Court takes up, *sua sponte*, the dismissal of this cause. On October 19, 2020, Plaintiff Kenneth Moxon, proceeding *pro se*, filed a complaint challenging the conditions of his confinement pursuant to 42 U.S.C. § 1983. Doc. # 1. Subsequently, on October 26, 2020, the Court entered an order setting this matter for a *Spears* hearing. Doc. # 6. The order required Plaintiff to keep the court apprised of his current address, and cautioned that his failure to do so could result in the dismissal of this case. *Id.* Despite this warning, Plaintiff failed to comply. See Doc. # 11 (mail returned undeliverable). This case is therefore **DISMISSED without prejudice** for failure to prosecute and for failure to comply with an order of the court under Federal Rule of Civil Procedure 41(b).

SO ORDERED this, the 26th day of January, 2021.

/s/ David A. Sanders
DAVID A. SANDERS
UNITED STATES MAGISTRATE JUDGE